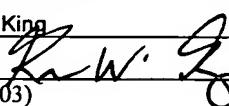


| | | | |
|---|--|--|------------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | | Attorney Docket No. | 17509-0083 |
| | | Named Inventor(s) | J hn T. Santini, Jr., t al. |
| | | Title | Stent f r C ntrolled Rel as f Drug |
| | | Express Mail Label No. | EV 330773608 US |
| APPLICATION ELEMENTS | | ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. <input checked="" type="checkbox"/> Specification Total Pages: <u>40</u> <ul style="list-style-type: none"> • Descriptive title of the invention • Cross Reference to Related Applications • Statement Regarding Fed sponsored R & D • Reference to sequence listing, a table, or a computer program listing appendix • Background of the Invention • Brief Summary of the Invention • Brief Description of the Drawings <i>(if filed)</i> • Detailed Description • Claims(s) • Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets <u>11</u> 5. Oath or Declaration Total Pages <u>7</u> <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> (i) <input checked="" type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix). | | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies 9. <input type="checkbox"/> Assignment Papers (cover sheet & documents(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <ul style="list-style-type: none"> <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <ul style="list-style-type: none"> <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: <u>Check for \$1,165.00</u> | |
| 18. If a CONTINUING APPLICATION , check appropriate box and supply the requisite information and in a preliminary amendment, or in an Application Date Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 10/637,319 filed August 8, 2003 Prior application information: Examiner: Filip Zec Group Art Unit: 3744 Recite complete dependency back to first parent application: This application is a continuation of Application No. 10/637,319, filed August 8, 2003, which is a continuation of U.S. Application No. 10/314,838 filed December 19, 2002, which is a continuation of U.S. Application No. 09/715,493 filed November 17, 2000. Application No. 09/715,493 claims benefit of Provisional Application No. 60/166,370, filed November 17, 1999. | | | |
| 19. CORRESPONDENCE ADDRESS: Kevin W. King SUTHERLAND ASBILL & BRENNAN LLP 999 Peachtree Street, NE Atlanta, Georgia 30309-3996 Telephone: 404-853-8000 Facsimile: 404-853-8806 | | CUSTOMER NUMBER: 29052 | |
| Name: Kevin W. King | | Registration No. 42,737 | |
| Signature:  | | Date: January 30, 2004 | |

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10/768315

013004

FEE TRANSMITTAL

Attorney Docket No. 17509-0083

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): John T. Santini, Jr. and Charles E. Hutchinson
Filing Date: **January 30, 2004**
Title: STENT FOR CONTROLLED RELEASE OF DRUG

The filing fee is calculated as shown below:

1. FILING FEE:

| FOR: | SMALL ENTITY | | LARGE ENTITY | |
|--|---------------------|---------------|--------------|-----------|
| | FEES | FEES PAID | FEES | FEES PAID |
| <input checked="" type="checkbox"/> UTILITY FILING FEE | \$385 | 385.00 | \$770 | |
| <input type="checkbox"/> DESIGN FILING FEE | \$170 | | \$340 | |
| <input type="checkbox"/> PLANT FILING FEE | \$265 | | \$530 | |
| <input type="checkbox"/> REISSUE FILING FEE | \$385 | | \$770 | |
| <input type="checkbox"/> PROVISIONAL FILING FEE | \$80 | | \$160 | |
| | SUBTOTAL (1) | 385.00 | | \$ |

2. CLAIMS:

| FOR: | SMALL ENTITY | | LARGE ENTITY | |
|--|--------------|-----------|---------------------|--------------|
| | NO. FILED | NO. EXTRA | RATE | FEES |
| TOTAL CLAIMS | 81 - 20 = | 61 | x 9 = | 549 |
| INDEP. CLAIMS | 5 - 3 = | 2 | x 43 = | 86 |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED | | | +145 = | 145 |
| | | | SUBTOTAL (2) | \$780 |

3. ADDITIONAL FEES:

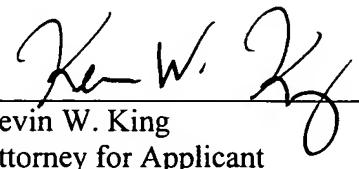
| FOR: | SMALL ENTITY | | LARGE ENTITY | |
|--|---------------------|-----------|--------------|-----------|
| | FEES | FEES PAID | FEES | FEES PAID |
| <input type="checkbox"/> LATE FILING, FEE OR OATH | \$65 | | \$130 | |
| <input type="checkbox"/> NON-ENGLISH SPECIFICATION | \$130 | | \$130 | |
| <input type="checkbox"/> OTHER | | | | |
| | SUBTOTAL (3) | \$ | | \$ |

TOTAL FILING FEES: \$1,165.00.00

A check is enclosed for the total amount: **\$1,165.00**

Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 19-5029.

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: 404-853-8000

By: 
Kevin W. King
Attorney for Applicant
Reg. No. 43,737

Date: **January 30, 2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John T. Santini, Jr. et al.

Serial No.: Not Yet Known

Filed: January 30, 2004

For: STENT FOR CONTROLLED RELEASE OF DRUG

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.63(d)(2)

Sir:

The undersigned attorney of record for the present continuation application requests the deletion of the following persons named as inventors in the prior application, who are not inventors in the present continuation application because their inventions are no longer being claimed:

Scott A. Uhland

Michael J. Cima

Robert S. Langer

Dennis Ausiello

Therefore, the correct inventorship of this continuation application is John T. Santini, Jr. and Charles E. Hutchinson.

NEW CONTINUATION APPLICATION

Filed: January 30, 2004

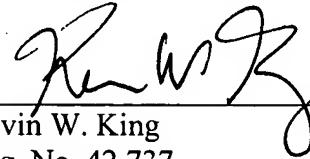
By : John T. Santini, Jr., et al.

Entitled: "Stent for Controlled Release of Drug"

STATEMENT UNDER 37 C.F.R. 1.63(d)(2)

Attached to this statement is (1) a copy of the executed declaration filed in the prior application, and (2) a copy of the Change of Correspondence Address filed in the prior application.

Respectfully submitted,



Kevin W. King
Reg. No. 42,737

Date: January 30, 2004

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
(404) 853-8068
(404) 853-8806 (fax)

Attorney Docket No.: 17509-0083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John T. Santini, et al.**
Serial No.: **09/715,493**
Filing Date: **November 17, 2000**
For: **MICROFABRICATED DEVICES FOR THE DELIVERY OF MOLECULES INTO A CARRIER FLUID**

CHANGE OF ADDRESS AND ATTORNEY REFERENCE NUMBER

Assistant Commissioner for Patents
Washington, D.C. 20231

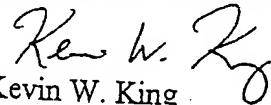
Sir:

Pursuant to M.P.E.P. § 601.03, the undersigned changes the correspondence address for this application to the following:

Kevin W. King
Sutherland, Asbill & Brennan LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: 404-853-8068
Facsimile: 404-853-8806

Please also change the Attorney Docket Number from MCP102 to 17509-0006.

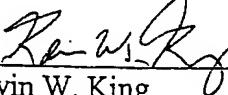
Respectfully submitted,


Kevin W. King
Attorney for Applicant
Reg. No. 42,737

SUTHERLAND, ASBILL & BRENNAN
999 Peachtree Street, N.E.
Atlanta, Georgia 30309-3996
Telephone: 404-853-8000
Attorney Docket No. 17509-0006

CERTIFICATE OF EXPRESS MAIL (EF307104811US)

I hereby certify that this correspondence is being deposited with the United States Postal Service in an Express Mail envelope (No. EF307104811US) addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the 21st day of December 2000.


Kevin W. King